

CITY UTILITIES COMMITTEE

MINUTES

NOVEMBER 9, 2010

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, November 9, 2010 at 10:11 a.m., in Committee Room #2.** The following members were present:

The Honorable Natalyn M. Archibong, Chair
The Honorable C. T. Martin
The Honorable Yolanda Adrean
The Honorable Howard Shook
The Honorable Aaron Watson
The Honorable Carla Smith

The following member was absent:

The Honorable Kwanza Hall, Vice-Chair

Others present at the meeting were: M. Theresa Stewart, Stephanie Grant and Marc Goncher, Law Department; Deputy Commissioners Jim Beard and Jeri Russell, Susan Rutherford; Department of Watershed Management; Keith Brooks, Office of Procurement; members of the public, press and Council Staff.

Chair Archibong called the meeting to order at 10:11 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**

CONSENT

- C. ORDINANCES FOR FIRST READING**

10-O-1914 (1) An Ordinance by City Utilities Committee to amend Chapter 154, Article III Section 73, et seq. (The City of Atlanta Water Use Restrictions Ordinance, 07-O-0956) to harmonize the Ordinance with State Law; to establish comprehensive Water Use Restrictions; to authorize the Commissioner of the Department of Watershed Management to set Outdoor Water Use Restrictions during emergency conditions; to establish provisions for adequate enforcement of Outdoor Water Use Restrictions; to amend Chapter 154, Article II, Water and Sewer Appeals Board; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

City Utilities Committee Minutes
November 9, 2010
Page Two

ORDINANCES FOR FIRST READING (CONT'D)

- 10-O-1915 (2) An Ordinance By City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (Water And Wastewater Renewal And Extension Fund) (5052) Budget in the amount of \$1,000,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for appropriations and add to Appropriations for Public Health Security-Wastewater Project for the purposes of implementing safety and security, Audit Recommendations at Department of Watershed Management Facilities; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 10-O-1972 (3) An Ordinance by City Utilities Committee to amend Part III Code of Ordinances ("Land Development Code"), Appendix C ("Plumbing Code Amendments"), Chapter 1 ("Administration") to require new conveyor car washes to recycle water; to comply with the requirements of the Metropolitan North Georgia Water Planning District's 2009 Water Supply and Water Conservation Management Plan; to Conserve Water Resources; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 10-O-1973 (4) An Ordinance authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund - 5066) Budget in the amount of \$19,500,000.00 to transfer funds from the Capital Projects Reserve (5066) for appropriations and to add to Appropriation funds for the purpose of completing the final phase of the South River Tunnel & Pump Station Project; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 10-O-1974 (5) An Ordinance by City Utilities Committee to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) Budget by adding to anticipations and appropriations surety proceeds in the amount of \$1,588,848.00 per the Settlement Agreement approved by the Full Council of the City of Atlanta, Georgia August 16, 2010 to complete additional corrective work for the Indian Creek Drainage Basin Project; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

D. ORDINANCES FOR SECOND READING

- 10-O-1820 (1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$1,250,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for the Utilities-GDOT & Municipal Project; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 10-O-1821 (2) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in an amount not to exceed \$17,134,968.00 to transfer funds from the Capital Project Reserve (5066) for Appropriations and to add to appropriation funds for the Supplement Program Management Service Project; and for other purposes.
(Councilmember Martin made a motion to approve as amended.)

FAVORABLE AS AMENDED

- 10-O-1822 (3) An Ordinance by City Utilities Committee authorizing the Mayor to accept with the Georgia Environment Facilities Authority ("GEFA") State Revolve Fund ("SRF") Loan Program a Subsidized/Reimbursable Loan for \$50,000.000.00; and authorize the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund)(5052) Budget in the amount of \$62,582,241.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and to add to appropriations for Various Capital Projects; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

City Utilities Committee Minutes
November 9, 2010
Page Four

ORDINANCES FOR SECOND READING (CONT'D)

- 10-O-1979 (4) An Ordinance by Councilmembers C. T. Martin, Michael J. Bond, Ivory L. Young, Jr., Kwanza Hall, Natalyn M. Archibong, Cleta Winslow, Carla Smith, Keisha Lance Bottoms and Joyce Sheperd to rename Cone Street, NW to Xernona Clayton Way, NW to waive Section 138-8(b)(5)c and 138-8(h) of the Code of Ordinances of the City of Atlanta, Georgia; to waive conflicting ordinances; and for other purposes. **(Advertised for a Public Hearing 11/30/10 at 10 a.m.)**
(Councilmember Archibong made a motion to hold for a Public Hearing)

HELD

- 10-O-1981 (5) An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Yolanda Adrean authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John C. Portman Way, NW; and for other purposes. **(Advertised for a Public Hearing 11/30/10 at 10 a.m.)**
(Councilmember Archibong made a motion to hold for a Public Hearing)

HELD

E. RESOLUTIONS

- 10-R-1916 (1) A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 1 for FC-6004007858, Water Quality and Water Quantity Long Term Monitoring Network with United States Geological Survey, United States Department of Interior in an amount not to exceed \$496,631.00 on behalf of the Department of Watershed Management; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE (1 NAY) SHOOK

City Utilities Committee Minutes
November 9, 2010
Page Five

RESOLUTIONS (CONT'D)

- 10-R-1917 (2) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Agreement No. 2 for FC-6007000029, Annual Contract for Major Mechanical Services for the Bureau of Wastewater Treatment and Collections, with Alberici Constructors, Inc./Willis Professional Services, for repairs to the R. M. Clayton Plant in an amount not to exceed \$782,589.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 10-R-1918 (3) A Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to Arcadis/Bindley, Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services - Hemphill Water Treatment Plant Electrical & Control System Projects Integration, on behalf of the Department of Watershed Management, in an amount not to exceed \$99,693.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE (1 ABSTENTION) ADREAN

F. PAPERS HELD IN COMMITTEE

- 10-O-0939 (1) A **Substitute** Ordinance by City Utilities Committee to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes.
(Substituted and held 8/31/10) (Public Hearing held 9/21/10)

City Utilities Committee Minutes
November 9, 2010
Page Six

PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-0940 (2) A **Substitute** Ordinance by City Utilities Committee to amend Article V of Chapter 154 of the Atlanta City Code Entitled "Sewage Disposal" (§154-196 et seq.); to create a fee for the issuance of an Industrial Wastewater Discharge Permit; to create a fee for Annual Inspections; and for other purposes. **(Held 6/15/10) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**
- 10-O-1058 (3) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**
- 10-O-1059 (4) A **Substitute** Ordinance to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-1688 (5) An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14th District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

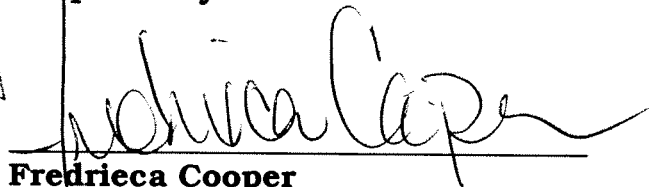
G. REQUESTED ITEM

1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?
2. Councilmember Young made a request to the Law Department to seek permission from the state to include the City of Atlanta water liens as part of the closing process of all property being sold in the City of Atlanta.

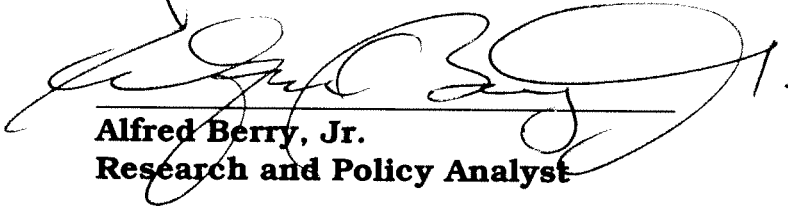
**City Utilities Committee Minutes
October 26, 2010
Page Eight**

There being no further business to come before the Committee, the meeting was adjourned at 11:06 a.m.

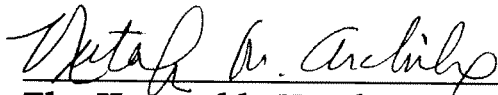
Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Alfred Berry, Jr.
Research and Policy Analyst**



**The Honorable Natalyn M. Archibong, Chair
City Utilities Committee**